

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Rajeeva Singh et al.

Confirmation No. 3309

Appln. No.: 10/729,441

Group Art Unit: 1643

Filed: December 8, 2003

Examiner: B. Duffy

For: ANTI-IGF-I RECEPTOR ANTIBODIES

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, **RAJEEVA SINGH**, hereby declare and state:

THAT I am a citizen of USA;

THAT I graduated from Harvard University with a Ph.D., in November of 1990;

THAT I have been employed by ImmunoGen, Inc., since November, 1990, where I hold a position as Director, with responsibility for Biochemistry;

THAT I am a co-author of Maloney et al., An anti-insulin-like growth factor I receptor antibody that is a potent inhibitor of cancer cell proliferation, *Cancer Research* 63:5073-5083 (2003), along with Erin K. Maloney, Jennifer L. McLaughlin, Nancy E. Dagdigian, Lisa M. Garrett, Katherine M. Connors, Xiao-Mai Zhou, Walter A. Blattler, and Thomas Chittenden;

THAT myself, Daniel J. Tavares and Nancy E. Dagdigian are co-inventors of the invention disclosed and claimed in above-identified patent application.

I, **Daniel J. Tavares**, hereby declare and state:

THAT I am a citizen of USA;

THAT I graduated from The University of Massachusetts with a Ph.D., in January of 2000;

THAT I have been employed by ImmunoGen, Inc., since February, 2000, where I hold a position as Senior Scientist, with responsibility for Molecular Biology;

THAT I am a co-author of Maloney et al., An anti-insulin-like growth factor I receptor antibody that is a potent inhibitor of cancer cell proliferation, *Cancer Research* 63:5073-5083 (2003), along with Erin K. Maloney, Jennifer L. McLaughlin, Nancy E. Dagdigian, Lisa M. Garrett, Katherine M. Conners, Xiao-Mai Zhou, Walter A. Blattler, and Thomas Chittenden;

THAT myself, Rajeeva Singh and Nancy E. Dagdigian are co-inventors of the invention disclosed and claimed in above-identified patent application.

I, **NANCY E. DAGDIGIAN**, hereby declare and state:

THAT I am a citizen of USA;

THAT I have been employed by ImmunoGen, Inc., since February, 1988, where I hold a position as Manager, with responsibility for Cell Line Development;

THAT I am a co-author of Maloney et al., An anti-insulin-like growth factor I receptor antibody that is a potent inhibitor of cancer cell proliferation, *Cancer Research* 63:5073-5083

(2003), along with Erin K. Maloney, Jennifer L. McLaughlin, Lisa M. Garrett, Katherine M. Conners, Xiao-Mai Zhou, Walter A. Blattler, Thomas Chittenden and Rajeeva Singh;

THAT myself, Rajeeva Singh and Daniel J. Tavares are co-inventors of the invention disclosed and claimed in above-identified patent application.

In order to demonstrate that although Erin K. Maloney, Jennifer L. McLaughlin, Lisa M. Garrett, Katherine M. Conners, Xiao-Mai Zhou, Walter A. Blattler, and Thomas Chittenden are co-authors of the Maloney et al. article discussed above, they are not co-inventors of the invention disclosed and claimed in the above-identified application, we further declare and state:

Erin K. Maloney was named as a co-author of the Maloney et al. article because she helped perform some of the experiments described in the paper. Erin K. Maloney was acting at the behest and direction of one and/or each of us in these activities. Therefore, Erin K. Maloney had no role in the conception of the invention disclosed and claimed in the above-identified application.

Jennifer L. McLaughlin was named as a co-author of the Maloney et al. article because she helped perform some of the experiments described in the paper. Jennifer L. McLaughlin was acting at the behest and direction of one and/or each of us in these activities. Therefore, Jennifer L. McLaughlin had no role in the conception of the invention disclosed and claimed in the above-identified application.

Lisa M. Garrett was named as a co-author of the Maloney et al. article because she helped perform some of the experiments described in the paper. Lisa M. Garrett was acting at the behest and direction of one and/or each of us in these activities. Therefore, Lisa M. Garrett had

no role in the conception of the invention disclosed and claimed in the above-identified application.

Katherine M. Conners was named as a co-author of the Maloney et al. article because she helped perform some of the experiments described in the paper. Katherine M. Conners was acting at the behest and direction of one and/or each of us in these activities. Therefore, Katherine M. Conners had no role in the conception of the invention disclosed and claimed in the above-identified application.

Xiao-Mai Zhou was named as a co-author of the Maloney et al. article because he helped perform some of the experiments described in the paper. Xiao-Mai Zhou was acting at the behest and direction of one and/or each of us in these activities. Therefore, Xiao-Mai Zhou had no role in the conception of the invention disclosed and claimed in the above-identified application.

Walter A. Blattler was named as a co-author of the Maloney et al. article because he contributed to discussions during the writing of the manuscript. Walter A. Blattler was acting at the behest and direction of one and/or each of us in these activities. Therefore, Walter A. Blattler had no role in the conception of the invention disclosed and claimed in the above-identified application.


Thomas Chittenden was named as a co-author of the Maloney et al. article because he contributed to discussions during the writing of the manuscript. Thomas Chittenden was acting at the behest and direction of one and/or each of us in these activities. Therefore, Thomas

Chittenden had no role in the conception of the invention disclosed and claimed in the above-identified application.

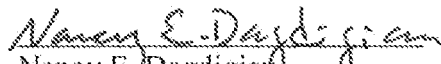
Thus, the inventorship of the application is correct, and the Maloney et al. article noted above discloses subject matter derived from the undersigned Applicants, and the subject matter of the Maloney et al. article is the undersigned Applicants' own work.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

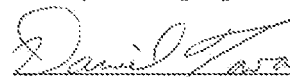
Date: 2-28-07


Rajeeva Singh

Date: 2-28-07


Nancy E. Dagdigian

Date: 2-28-07


Daniel J. Tavares